

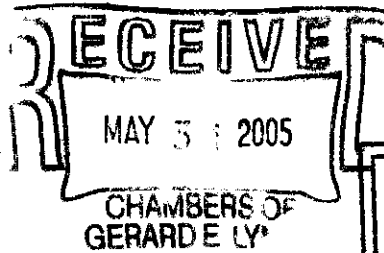
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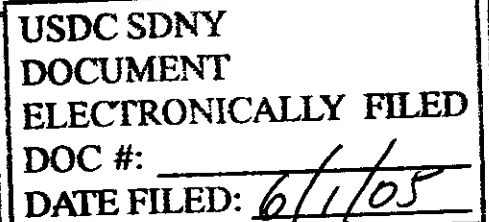
Melissa La Rocca
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MEMO ENDORSED



May 31, 2005

Honorable Gerard E. Lynch
United States District Court
Southern District of New York
40 Foley Square
Room 803
New York, New York 10007



Re: Netherby Limited v. Jones Apparel Group, Inc., et al.
Case No. 04 CV 07028 (GEL)

Dear Judge Lynch:

In accordance with Your Honor's May 17, 2005 Opinion and Order granting plaintiff Netherby Limited's ("Netherby") Motion for the Issuance of Letters Rogatory (the "Order"), enclosed are (1) an Order for Letters Rogatory and (2) a Request for Letters Rogatory to the appropriate Canadian authority, to be so ordered by the Court.

In light of Your Honor's Order, Netherby respectfully requests that this Court extend the August 31, 2005 deadline for the completion of all fact discovery until November 30, 2005. This extension will provide Netherby with the opportunity to make the appropriate motion before a Canadian Court to compel the production of documents and deposition testimony from the Canadian corporation Hudson's Bay Company, Inc. and its subsidiary Zellers, Inc. (together "Zellers"), as Canadian counsel has indicated that this process may take several months. This extension will also permit Netherby time to obtain Zellers' documents prior to taking depositions of parties and non-parties residing in the New York area, so as to avoid having to re-depose these individuals after receiving Zellers' documents.]*

Respectfully,

M. La Rocca
Melissa LaRocca

Granted. The conference previously scheduled for Sept. 9 is adjourned to Dec 2, 2005, at 10:30 a.m.

Enclosures

BY HAND

SO ORDERED

Gerard E. Lynch
GERARD E. LYNCH, U.S.D.J.
6/1/05

CHADBOURNE
& PARKE LLP

Honorable Gerard E. Lynch

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May 31, 2005

cc: Karen Frieman, Esq. (w/encls.)
Thomas J. Hall, Esq. (w/encls.)

(BY HAND)